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In re Application of:  
Kux, *et al.*  
Application No. 10/002,925  
Filed: November 2, 2001  
Attorney Docket No. 1999P1778

Paper No. 5  
**COPY MAILED**

MAY 07 2002

OFFICE OF PETITIONS  
DECISION GRANTING  
PETITION

This is a decision on the February 19, 2002 petition under 37 C.F.R. §1.10(c) requesting that the above-identified application be accorded a filing date of November 2, 2001 rather than the presently accorded filing date of November 4, 2001.

Petitioner alleges that the application was deposited in Express Mail service on November 2, 2001. In support, the petition is accompanied by a copy of Express Mail receipt no. EL758653084US (the same Express Mail number found on the original application papers located in the official file) showing a "date in" of November 2, 2001.

In view of the above, *this petition is **granted**.*

This application will be returned to Initial Patent Examination Division for correction of the filing date to November 2, 2001.

Telephone inquiries concerning this matter may be directed to the undersigned in the Office of Petitions at (703) 306-5593.

Scott M. Ledford  
Attorney  
Office of Petitions  
Office of the Deputy Assistant Commissioner  
for Patent Examination Policy